

REMARKS

Claims 1-5 and 7 are all the claims pending in the application. Claims 1-5 and 7 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1-5 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over Amereller (U.S. Published Patent Application No. 2001/0039188) in view of Shaffer et al. (U.S. Patent No. 6,477, 374; hereinafter "Shaffer"). Applicant respectfully traverses the rejections as follows:

I. § 112, Second Paragraph

The Examiner asserts that claims 1-5 and 7 fail to satisfy § 112, second paragraph, because the word "type" in "network type" allegedly "extends the scope of the expression so as to render it indefinite". See Office Action at pg. 2. In support of the proposition that extending the scope of an expression renders it indefinite, the Examiner cites Ex part Copenhagen, 109 USPQ 118 (Bd. App. 1955), and MPEP § 2173.05(b).

When determining whether a term of degree, such as the word "type", renders and otherwise definite term indefinite, the Examiner is expected to check whether the word, read in light of the specification, would appraise one of ordinary skill in the art of the scope of the invention. See MPEP 2713. Here, a system which would satisfy claim 1 is exemplified on pages 6 and 7 of the Specification, which recites a GSM public land mobile network, and a wireless home network according to the IEEE 802.11b standard. Therefore, different "network type" may refer to networks which use different communication standards.

Accordingly, Applicant respectfully submits that claims 1-5 and 7 are in compliance with 35 U.S.C. § 112, second paragraph, and respectfully requests that the Examiner withdraw the rejection of the claims.

II. § 103(a) Rejection

Claims 1, 2, 3, 4 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Amereller et al. (U.S. Patent Application 2001/0039188; hereinafter “Amereller”) in view of newly cited Shaffer et al. (U.S. Patent No. 6,477,374; hereinafter “Shaffer”). Applicant respectfully traverses the prior art rejection.

Independent claim 1 recites, in part “activating call forwarding to a predetermined call forwarding number if said terminal at least able to connect to the wireless local area network *is present* in said coverage area of said wireless local area network”. The Examiner asserts that Amereller discloses this feature at paragraphs [0027] - [--31].

Amereller relates to a method of call diversion. Figure 1 of Amereller teaches a system where a mobile terminal MEG is located in the vicinity of a tabletop terminal TEG and a base station BS1. Once it is verified that the MEG can be accessed, a switching device V places an entry in a call diversion table TAB, which causes calls diversion to be set up for TEG to MEG, but the call diversion is initially identified as being deactivated. See Amereller, pars. [0027] and [0028]. If the MEG leaves predetermined radio cell area around the TEG, the BS1 sends a message M to the switching device V and confirms that the MEG has the left the predetermined radio cell. See Amereller, par. [0030]. In response to the message M, the switching device V puts initiation information in the diversion table TAB, which relates to the previously deactivated

call diversion for TEG to the MEG. The call diversion is then activated by the switching device V and is identified as being active by entering an activation status in the call diversion table TAB. See Amereller, par. [0031].

Applicant respectfully submits, based on the foregoing description, Amereller does not teach or suggest “activating call forwarding to a predetermined call forwarding number if said terminal at least able to connect to the wireless local area network *is present* in said coverage area of said wireless local area network”, as recited by claim 1. Instead, Amereller clearly teaches that the diversion of calls from the TEG to the MEG is activated when the MEG *leaves* a predetermined area around the TEG. See Amereller, pars. [0030] and [0031].

Applicant respectfully submits that Shaffer does not compensate for the deficiencies of Amereller, and thus, Amereller and Shaffer, alone or in combination, do not teach or suggest all of the features of claim 1. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1, and claims 2-5 *at least* by virtue of their dependency.

Applicant respectfully submits that independent claim 7 is at least patentable because Amereller and Shaffer, alone or in combination, do not teach or suggest “an activation unit which sends the public land mobile network a call forwarding activation message if the terminal at least able to connect to the wireless local area network is present in a coverage area of the wireless local area network”. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 7.

Response Under 37 C.F.R. § 1.111
U.S. Application No.10/784,225

Attorney Docket No. Q79932
Art Unit 2617

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

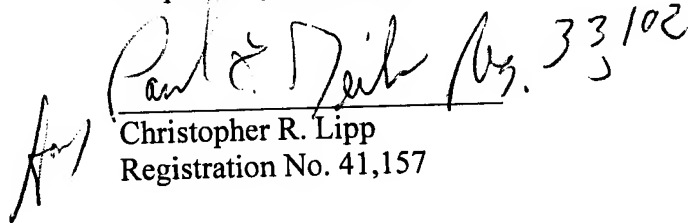
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Respectfully submitted,

 33102
Christopher R. Lipp
Registration No. 41,157

Date: May 9, 2007